

5 September 2025

Our ref: 24SYD8751

Arada Development Management Pty Ltd.
12 Harvey Street
Pyrmont, NSW 2009

Attn: Amir Zraika

Dear Amir,

Re: Residential Development Carrington Road, Castle Hill – Biodiversity Development Assessment Report (BDAR) Waiver

Arada Development Management Pty Ltd (herein the Proponent) is proposing a State Significant Development Application (SSDA) for a residential development at 2 Fishburn Crescent, Castle Hill (the 'study area', Figure 1). The development aims to utilise Clause 16 of the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) by proposing 5% of the General Floor Area as affordable housing.

State Significant Development (SSD) is regulated under the *Environmental Planning and Assessment Act 1979* (EP&A Act). The EP&A Act requires proponents to apply to the Minister for Planning for development consent of SSD, supported by an Environmental Impact Statement (EIS). These applications are also subject to biodiversity assessment requirements under the *Biodiversity Conservation Act 2016* (BC Act). Clause 7.9 of the BC Act requires that an SSD application must be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. The DPHI website provides guidance on this matter and states:

For the purpose of deciding whether the requirement for a BDAR can be waived, a proposed development could be considered as unlikely to have any significant impact on biodiversity values if it:

- *will not clear or remove native vegetation other than:*
 - *a few single trees with no native understorey in an urban context*
 - *planted native vegetation that is not consistent with a Plant Community Type (PCT) known to occur in the same Interim Biogeographic Regionalisation of Australia (IBRA) subregion (e.g. street trees, trees in carparks, landscaping)*
- *will have negligible adverse impacts on threatened species or ecological communities, considering habitat suitability, abundance and occurrence, habitat connectivity, movement and water sustainability including consideration of any non-natural features, non-native vegetation and human-built structures*

- *will have negligible adverse impacts on protected animals because of impacts to flight path integrity.*

Eco Logical Australia Pty Ltd (ELA) was engaged by the Proponent to provide an assessment of biodiversity impacts of the proposed development. This letter provides an assessment of the proposals impact on biodiversity values, within the study area, in accordance with the NSW Department of Planning & Environment's 2018 *Biodiversity development assessment report waiver determinations for SSD and SSI applications fact sheet*. Information to support the application is outlined in Table 1 and Figure 12 below.

The assessment includes a literature and database review of relevant information to assess the potential impacts to biodiversity values from the proposed development. This includes the review of the most recent vegetation mapping (DCCEEW, 2024a), past vegetation mapping (OEH, 2013), BioNet Atlas threatened flora and fauna species records within 5 km of the study area (DCCEEW, 2024b), and the Biodiversity Values Map (DCCEEW, 2024c).

The study area encompasses a number of existing and demolished single lot residential units containing biodiversity typically found in a suburban context, including a number of mature native trees and exotic vegetation. The study area contains some mature trees that may be remnant of PCT3592 (Sydney Coastal Enriched Sandstone Forest). No mapped endangered ecological communities are present within the study area. The study area does not provide any significant habitat for threatened species.

Given the residential nature of the structures on site, no inspection for potential habitat features for microbats was undertaken. This was based on the consideration that the structures that are still intact are currently being used in a residential setting and are in good condition with intact roofing and windows. The broader context of the study area is undergoing considerable construction and is not considered to provide good foraging habitat for microbat species. It is noted that potential foraging habitat for microbats exists approximately 250 m west and 600 m north of the study area associated with Cattai Creek (Figure 1) but is not associated with the study area itself, being largely cleared of any vegetation.

ELA also reviewed the draft Arboricultural Impact Assessment prepared by Raintree Consulting (August 2025) which assessed 16 trees, three of which are proposed to be removed: one 5m tall *Eucalyptus robusta* and 2 large *Eucalyptus tereticornis*.

The assessment concluded that the proposed development is not likely to have a significant impact on biodiversity values. Considering the limited native vegetation within the study area and the fact that the study area occurs within a broader context of the Hills Showground development precinct, the proposal would have a very low-level impact on habitat suitability for threatened species. There is potential for one Matter of National Environmental Significance (MNES) listed under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) to be affected by the development; *Pteropus poliocephalus* (Grey-headed Flying-fox). Impacts may include removal of marginal foraging habitat. No impacts to camps are expected. The proposed development would not constitute a significant impact to this species.

The proponent requests a waiver from the need to submit a BDAR.

Regards,



David Bonjer
Principal Environmental Consultant

Biodiversity Development Assessment Report Waiver Request Information

The development information requirements for a BDAR waiver request, as outlined in the NSW Department of Planning and Environment’s 2018 Guidelines, are provided in Table 1 and Figure 12.

provides information regarding the impacts of the proposed development on biodiversity values in accordance with the Guidelines.

Table 1: BDAR waiver request information requirements

Requirement	Information
Administration	<p>Proponent: Arada Development Management Pty Ltd</p> <p>Project ID: Not available</p> <p>Completed by David Bonjer – Principal Environmental Consultant (Eco Logical Australia Pty Ltd)</p>

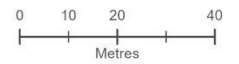
Site Details	<p>Street Address 2 Fishburn Crescent, Castle Hill, NSW 2154</p> <p>Lot and DP 1/DP131896</p> <p>Local Government Area (LGA) The Hills Shire Council.</p> <p>The study area is currently zoned as R4 (High Density Residential) under <i>The Hills Local Environmental Plan 2019</i> (The Hills LEP 2019). The objectives of R4 zoning are as follows:</p> <ol style="list-style-type: none"> a. <i>To provide for the housing needs for the community within a high density residential environment</i> b. <i>To provide a variety of housing types within a high density residential environment</i> c. <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents</i> d. <i>To encourage high density residential development in locations are close to population centres and public transport routes</i> <p>Existing Study Area</p> <p>The study area is approximately 1.4 ha, comprising residential lots, the majority of which have been demolished, in the southern portion of the Hills Shire, approximately 2 km to the east of the Norwest Business District (Figure 1). Vegetation within the study area is primarily limited to remaining individual planted native and urban exotics (Figure 4), with the site having been largely cleared prior to the preparation of this waiver document. Overhanging vegetation was observed within lots along Sexton Avenue and Fishburn Crescent in the south-east corner of the study area as well as a number of native trees along the perimeter of the study area which are to be retained wherever possible. The study area is not mapped under the NSW Government Biodiversity Values Map (accessed 3 September 2024). It is noted that areas mapped under the Biodiversity Values Map are located approximately 250 m of the study area associated with Cattai Creek. The study area is mapped as not containing remnant native vegetation belonging to Plant Community Type (PCT) on the DCCEEW 2024 NSW State Vegetation Type Mapping (SVTM) (Figure 4). The development site is located next to a high traffic road, being Carrington Road within a heavily modified area of Castle Hill and in close proximity to the Showground Metro Station.</p> <p>A preliminary site inspection was completed by ELA Principal Environmental Consultant Daniel McDonald to observe the state of existing vegetation on site and to identify potential biodiversity values where possible. The majority of vegetation present on site conforming to planted native and exotic species. Several mature native trees, including <i>Eucalyptus paniculata</i> and <i>Eucalyptus tereticornis</i> were identified within the study area and may be remnant of PCT 3592 (Coastal Enriched</p>
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Requirement	Information
	<p>Sandstone Forest) which is not an endangered ecological community. PCT3592 was mapped within the study area in the DCCEEW NSW State Vegetation Type Mapping (STVM) 1750 (pre-clearing mapping) (Figure 122).</p> <p>An arboricultural impact assessment was undertaken by Raintree Consulting (2025) which noted the need to remove three trees: one 5m tall <i>Eucalyptus robusta</i> and 2 x 20m+ <i>Eucalyptus tereticornis</i>. It is noted that approximately half of the study area has been cleared of all dwellings and vegetation and there is no previous vegetation mapping for the site or surrounding area (Figure 4).</p> <p>Site Map</p> <p>An aerial location map is presented in Figure 1. The proposed development footprint and concept ground floor plan is presented in Figure 2, Figure 3.</p>
Proposed Development	<p>This letter refers to the proposed development of 16 – 20 Carrington Road, 2 – 12 Middleton Avenue, 4 – 6 Fishburn Crescent and 25 – 31 Sexton Avenue. This development is to be assessed as SSD for the construction of 431 residential units, including 5% proposed affordable housing dwellings in Clause 16 of the Housing SEPP. The proposed works include the following:</p> <ul style="list-style-type: none"> • Construction of 3 buildings with shared basement carpark • 50,200 m² Residential GFA (approximate) • Provision of a total of 431 residential units. • Residential amenity (inc. two swimming pools, indoor gym, yoga room, BBQ areas, playground) • Parking provisions, including: <ul style="list-style-type: none"> ○ Residential car spaces ○ Visitor car spaces ○ Motorcycle spaces ○ Residential bicycle spaces <p>The proposed ground level floor plans are presented in Figure 2.</p>



Location

- Study Area
- Development Footprint



Datum/Projection:
GDA 1994 MGA Zone 56
Project: 8751-MP Date: 30/09/2024



Figure 1: Location of the proposed development.



Figure 3: Upper Ground floor concept design showing the retention of existing trees along the perimeter of the study area (Turner, 2025)



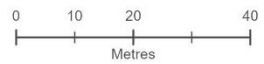
Previous Vegetation Mapping

Study Area

Development Footprint

Previous Vegetation Mapping (SVTM 2024)

Not Classified



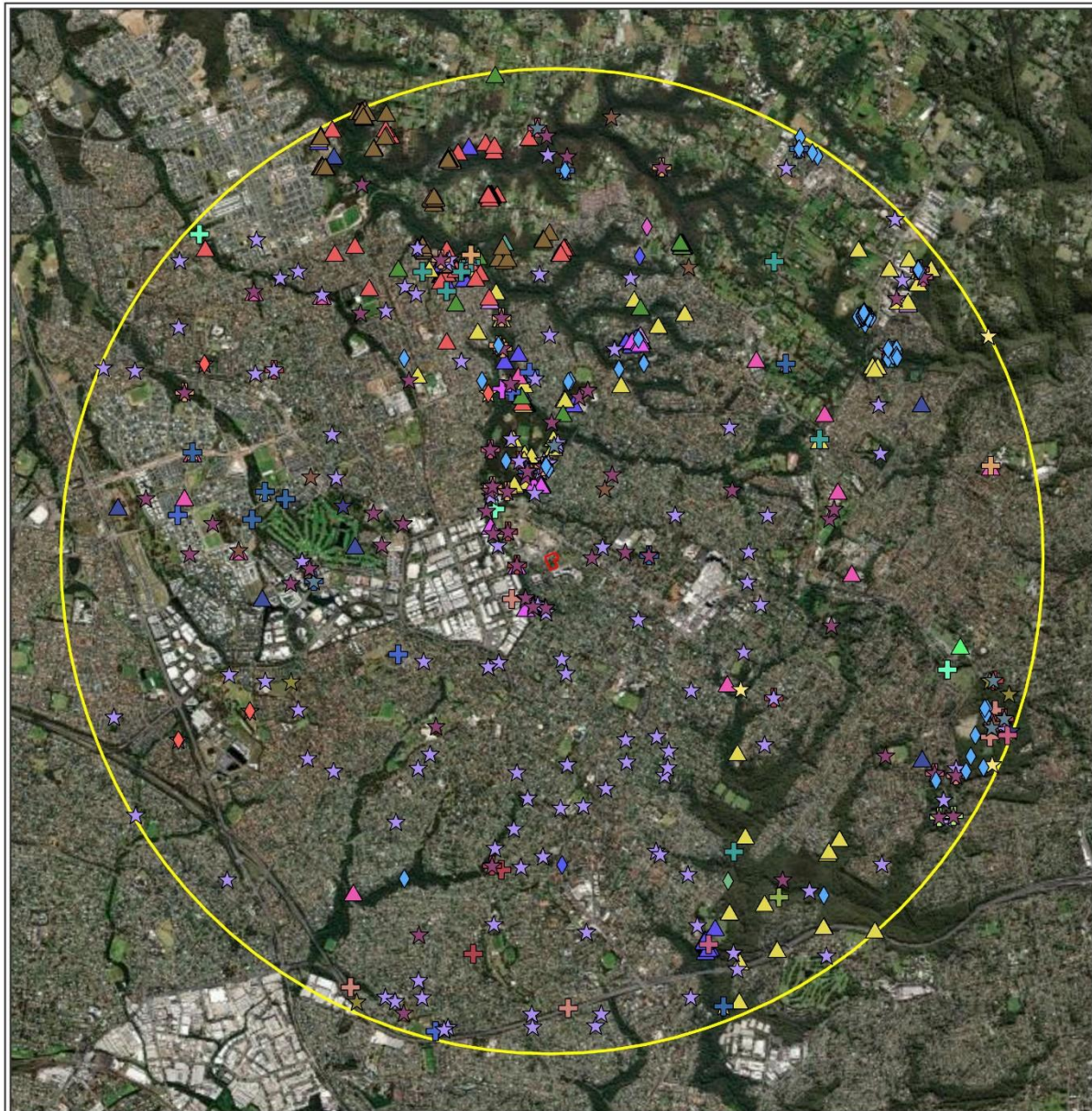
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GDA 1994 MGA Zone 56
Project: 8751-MP Date: 1/10/2024



Figure 4: Previous vegetation mapping (DCCEEW, 2024a)



Figure 5: NSW Biodiversity Values map (DCCEEW, 2024c)



Threatened Flora and Fauna (BioNet 2024)

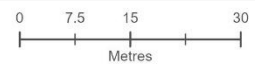


Figure 6: Threatened flora and fauna records within a 5 km buffer of the study area (BioNet) (DCCEEW, 2024b)



1970 Historical Imagery of the Study Area

- Study Area
- Development Footprint

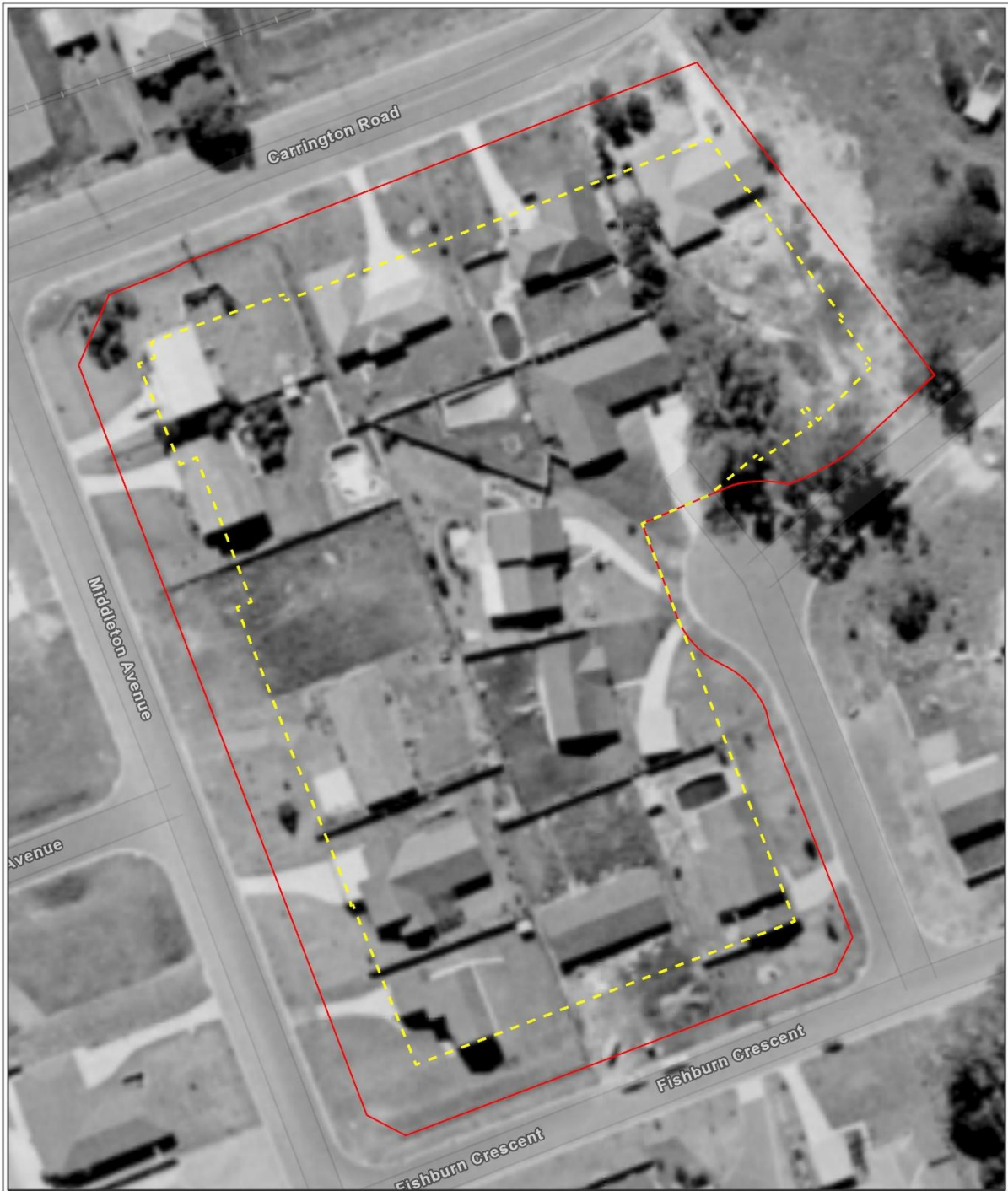


Datum/Projection:
GDA 1994 MGA Zone 56
Project: 8751-MP Date: 9/10/2024



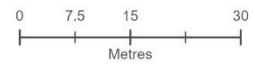
Imagery: © State Government of NSW and Spatial Services (DCS) 2024

Figure 7: Historical image of the study area from 1970 showing limited vegetation (DCW, 2024)



1978 Historical Imagery of the Study Area

- Study Area
- Development Footprint



Datum/Projection:
GDA 1994 MGA Zone 56
Project: 8751-MP Date: 9/10/2024



Imagery: © State Government of NSW and Spatial Services (DCS) 2024

Figure 8: Historical image of the study area from 1978 showing limited vegetation (DCW, 2024)



Figure 9: View A of study area, view from Carrington Road, noting the image is from 2020 and the majority of vegetation and structures shown have since been demolished (Google Street View, 2024).



Figure 10 View B of study area, view from Middleton Avenue, (Google Street View, 2024).



Figure 11: View C of study area, view from Fishburn Crescent, noting the image is from 2019 (Google Street View, 2024)

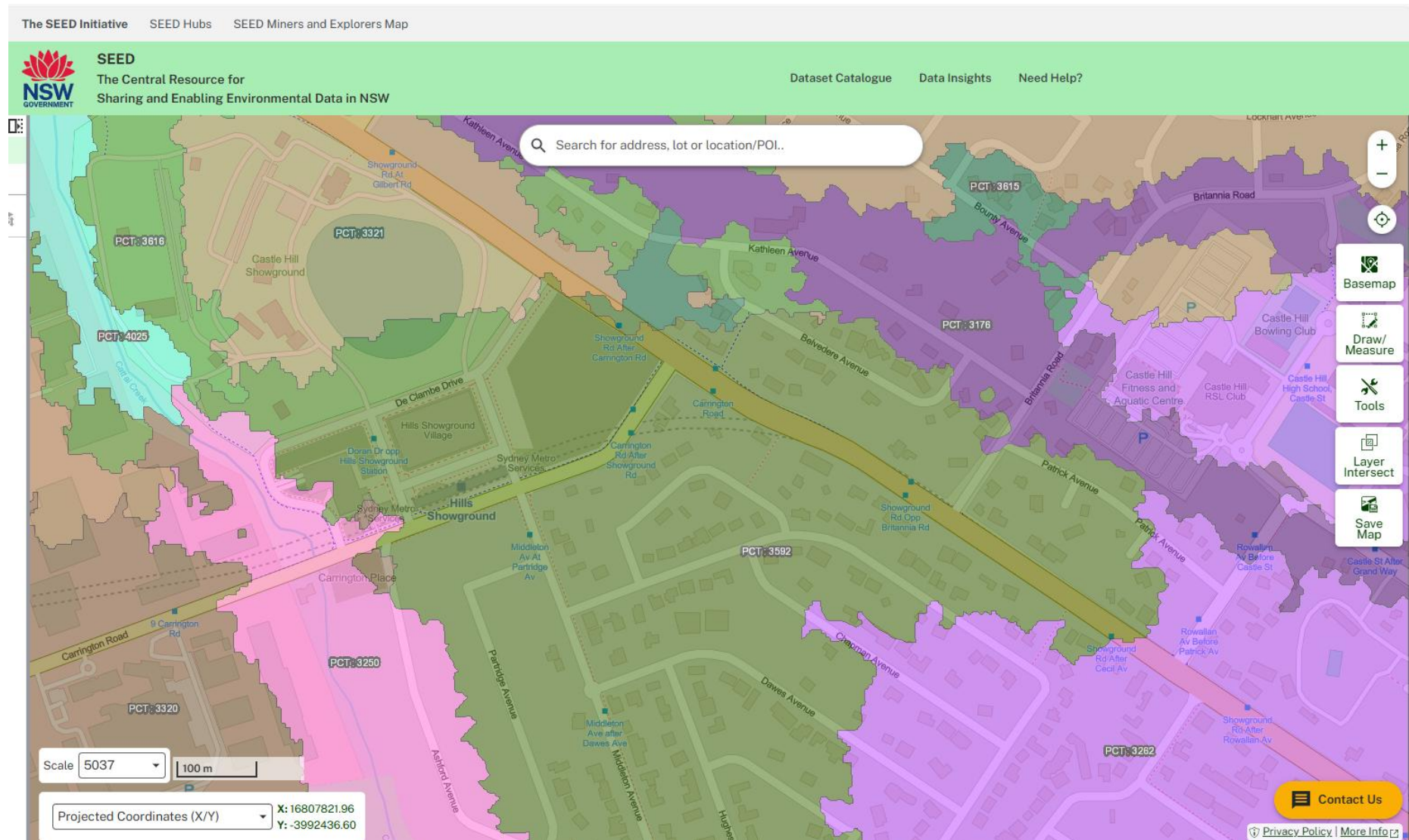


Figure 12: Screenshot from the NSW SEED website showing SVTM NSW 1750 PCT mapping for the locality.

Table 2: Criteria to assess biodiversity under the BC Act and BC Regulation

Biodiversity Value	Meaning	Relevant? (✓ or N/A)	Discussion of values within the site
Biodiversity Conservation Regulation 2017 (Clause 1.4)			
a) Threatened Species Abundance	The occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site.	N/A	<p>No threatened ecological communities or threatened species (Figure 6) have been recorded within the study area, nor were any observed during the opportunistic field survey undertaken by Principal ELA ecologist Daniel McDonald in August 2024. During the desktop assessment, a review of historical imagery demonstrated that the majority of the study area had been historically used for agriculture and experienced considerable clearing between 1970 and 1978 (Figure 7, Figure 8). Vegetation within the present day site, excluding that in the northern portion of the site, have been determined to be likely planted native and exotic vegetation. A preliminary field survey was subsequently undertaken by ELA Principal Ecologist Daniel McDonald to confirm the presence of planted native and urban exotic vegetation within the study area. The survey was opportunistic and did not represent a detailed survey effort. Utilising NSW Government data, the pre 1750 vegetation was mapped as likely containing PCT 3592 <i>Sydney Coastal Enriched Sandstone Forest</i> prior to clearing sometime before 1970 (DCCEEW, 2024a) (Figure 12). This community is not a threatened ecological community. The study area is not mapped as containing mapped high biodiversity values (NSW DCCEEW Biodiversity Values Map, accessed 9 October 2024), as seen in Figure 5.</p> <p>The high level of disturbance and modification of vegetation and soils within the study area presents limited opportunities for threatened flora species to persist. No roosting or nesting habitat was observed within the study area during the opportunistic field survey. The study area is largely cleared of vegetation which would therefore limit foraging, nesting or roosting habitat for threatened fauna species to utilise. As shown in Figure 6, no threatened fauna species have been recorded within the study area. This is likely due in part to the limited vegetation within the site in conjunction with the presence of better quality habitat associated with Cattai Creek to the west of the site and the wider Caterson Reserve to the north. The limited vegetation present in the study area may provide marginal foraging habitat for threatened species, however as noted above, more beneficial habitat is present both to the west and north of the study area.</p>
b) Vegetation Abundance	The occurrence and abundance of vegetation at a particular site.	N/A	<p>The study area contains limited native vegetation, with the majority of the study area being cleared and devoid of vegetation. Vegetation present within the study area was not previously mapped to a PCT under the SVTM (DCCEEW, 2024a; Figure 4). The majority of vegetation was most likely planted, although two <i>Eucalyptus tereticornis</i> proposed for removal may be remnant. It is likely that prior to vegetation clearing of the study area the vegetation would have been PCT 3592 <i>Sydney Coastal Enriched Sandstone Forest</i>, however now other potential remnant vegetation was recorded within the study area other than the <i>E.tereticornis</i>.</p>
c) Habitat Connectivity	The degree to which a particular site connects	N/A	<p>Vegetation within the study area is part of a highly fragmented, previously developed area. A review of historic aerial imagery (NSW Spatial Services, 2024) indicates that the study area has been subject to historical clearing and</p>

Biodiversity Value	Meaning	Relevant? (✓ or N/A)	Discussion of values within the site
	different areas of habitat of threatened species to facilitate movement of those species across their range.		<p>development dating back to at least 1947, with extensive clearing and development occurring sometime during 1970 and 1978. No threatened species have previously been recorded within 150 m of the study area (Figure 6). As such, the absence of a continuous / semi-continuous remnant vegetated ground-layer and shrub layer within the study and fragmented vegetation in the wider area is likely to limit the study area from acting as a connectivity corridor that could facilitate movement of threatened species, apart from highly mobile flying species across their range.</p> <p>A potential riparian corridor is present to the west of the study area in the form of vegetation associated with Cattai Creek. This vegetation is located approximately 250 m from the study area and runs north to south and ends approximately 520 m to the south of the study area. There is limited connectivity to the south, east and west apart from isolated parkland zoned as RE1 – Public Recreation, and gardens and street trees. These may be utilized by highly mobile threatened species to move across the landscape such as birds and bats. However, there appears to be greater habitat connectivity to the north with larger patches of remnant, riparian vegetation converging along multiple waterways. It is suspected that threatened species would favour these areas of vegetation to be utilized as foraging habitat as opposed to areas surrounding the study area which are much more disturbed.</p> <p>Being within a highly developed urban landscape, the study area as it presently stands does not offer much value in the form of habitat connectivity. The study area is surrounded by land zoned as E1 – Local Centre, R1 – General Residential, and R4 – High Density Residential. As such, the landscape is already highly disturbed due to historic development. Additionally, multiple roads would act as an additional barrier for species attempting to move across the landscape, in particular the main road Carrington Road located to the north of the study area.</p> <p>Therefore, the proposed development is unlikely to impact on connections for the movement of threatened species across their range. The proposal is unlikely to increase vehicle strikes on threatened species.</p>
d) Threatened Species Movement	The degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle;	N/A	Vegetation within the study area is primarily limited to urban exotics and planted natives, with vegetation having been largely cleared before 1970 (Figure 6, Figure 7). Movement for threatened fauna such as terrestrial mammals across the study area is highly unlikely due to very limited habitat in a fragmented landscape, roads and an array of buildings surrounding the study area. There are limited opportunities for movement across the study area for more mobile threatened fauna including birds and bats due to limited canopy or mid storey species being present which could provide potential roosting or foraging habitat. Habitat in the form of riparian vegetation located to the west of the study area is likely to have greater value as a habitat corridor due to connectivity which larger extents of vegetation to the north. While vegetation within the study area may serve as refuge for threatened species moving through the area from time to time, it is highly unlikely that any of the vegetation serves as important habitat to maintain the lifestyle of a species.
e) Flight Integrity	The degree to which the flight paths of protected animals over a particular	N/A	The proposed development is within an existing built environment of Castle Hill, which features a number of existing multi-storey buildings. There are some canopy species present within the study area that may be utilized as refuge from time to time by highly mobile species, most likely urban birds and potentially GGBH. However, due to the high levels of

Biodiversity Value	Meaning	Relevant? (✓ or N/A)	Discussion of values within the site
	site are free from interference.		disturbance and absence of suitable habitat features (i.e. hollows) the study area is likely to discourage species from relying on this vegetation for roosting, foraging or nesting purposes. Additionally, more suitable habitat in the form of the riparian corridor along Cattai Creek to the west or north of the study area would hold more value as refuge habitat for protected species. The proposal is unlikely to affect flight paths nearby, considering existing buildings adjacent to the study area and available habitat in the greater surrounding landscape.
f) Water Sustainability	The degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.	N/A	<p>The study area is within a highly disturbed urban environment. It does not contain water bodies or drainage structures that contribute to hydrological processes which sustain threatened species or ecological communities within or adjacent to the study area.</p> <p>There is a second order watercourse approximately 250 m west of the study area associated with Cattai Creek. This watercourse is mapped on the BV Map (Figure 5) and would likely provide habitat for threatened species and communities. The watercourse is not in proximity to the study area and is not anticipated to be impacted by the works.</p>
Biodiversity Conservation Act (Clause 1.5 (2))			
a) Vegetation Integrity	The degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state.	N/A	<p>A review of historical imagery of the study area shows that there was significant clearing prior to 1970 (Figure 7). Since then, the study area has been used for residential purposes. It appears the majority of residences were constructed around 1978 with no vegetation present, besides a limited patch within the northeast corner (Figure 8).</p> <p>Due to previous and current development of the study area, vegetation and soils within the study area have been highly modified, disturbed or removed. Vegetation within the study area consists primarily of planted natives and urban exotics as seen from historical imagery showing the site largely cleared of vegetation in 1970 and confirmed during a field survey (Figure 1, Figure 7). Two <i>Eucalyptus tereticornis</i> trees present within the study area may conform to PCT 3592 (Figure 12). Various areas of vegetation plantings have been included in the preliminary design plans (Figure 2). As such, the development would initially deplete the composition of the site which is already severely modified and contains planted native and exotic vegetation with poor structure resulting from a lack of mid storey and exotic ground cover. Overall, the vegetation in the study area prior to clearing works and the proposed development has been substantially altered from a near natural state.</p>
b) Habitat Suitability	The degree to which the habitat needs of threatened species are present at the particular site.	N/A	Soils within the study area are likely to have been highly modified due historical development of the surrounding area, such that any native soil seedbank that would have existed is likely to have been depleted through land-use changes or replaced with fill or concrete hardstand. These areas are unlikely to provide habitat for any threatened flora species or native flora seed. Additionally, regular maintenance of existing areas containing soils with the potential to host threatened flora species through mowing or gardening practices is likely to also have prevented the establishment of

Biodiversity Value	Meaning	Relevant? (✓ or N/A)	Discussion of values within the site
			<p>threatened species in the study area. The study area has very limited potential to provide roosting, nesting or foraging habitat for threatened species in the form of native canopy species or habitat features such as hollows. However, due to the high disturbance occurring within the landscape, and the presence of habitat that is likely of higher value located to the west and north of the study area, it is highly unlikely vegetation within the study area would be utilized as breeding habitat by threatened fauna species for extended periods of time. However, it may provide occasional roosting or foraging habitat for highly mobile threatened fauna species such as Grey-headed Flying Fox or other threatened bird and bat species.</p>

References

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